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Christopher E. Wasson

January 22, 2008

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HAROLD BAER  
U.S. DISTRICT JUDGE  
S.D.N.Y.

VIA FACSIMILE

United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2230  
New York, NY 10007

Attn: Honorable Harold A. Baer, Jr.

Re: Tiara Condominium Association, Inc. v. Marsh, Inc., et al.  
United States District Court Case No. 07-civ-9392  
Honorable Harold A. Baer, Jr.

Dear Judge Baer:

This office serves as lead counsel for Plaintiff via pro hac vice admission with respect to the above-referenced matter. I am writing this letter to request an adjournment of the Pre-Trial Conference that is currently scheduled for Thursday, January 24, 2008 at 1:15 pm before your Honor. We are currently in the process of submitting and filing substantive responses to Defendants' Motion to Dismiss Plaintiff's Complaint and Motion to Transfer Venue that were filed on January 14, 2008. We believe that any such Pre-Trial Conference should take place after the aforementioned motions and corresponding responses have been heard and decided by your Honor. Additionally, I have contacted opposing counsel Gregory Conway and he does not oppose an adjournment of this matter. Further, only one previous adjournment has been requested by Plaintiff. We respectfully request that the conference be rescheduled for a later date so that the Court may properly address Defendants' motions and Plaintiff's corresponding responses.

Pursuant to your request, I am enclosing a copy of the docket sheet in the above-referenced matter. Please contact this office with any questions or concerns you may have. Thank you for your cooperation and courtesy with this matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

MCALPINE & ASSOCIATES, P.C.

Christopher E. Wasson

Harold Baer, Jr., U.S.D.J.

1/22/08

CEW/ee  
Enclosure

*Sadly, while your new motion is pending, I am not able to contact you. I will contact you as soon as possible. I am not able to contact you. I will contact you as soon as possible. I am not able to contact you. I will contact you as soon as possible.*

Endorsement:

Sadly while your view may prevail somewhere it is not my practice to hold up a PTC or a PTSO while motions to dismiss, etc. Are pending in this case not even fully briefed - be here with a proposed PTSO.